Montana Legislative History

Chapter: 397 Session L: 2011

Bill Number: Senate Bill 241

Checklist of Bill History

History and Final Status Sheet	x
Introduced Bill	X
Fiscal Note	X
Third Reading Bill	X
Final Version of Bill	X

House

Committee:
Human Services

Hearing Date(s):
March 9, 2011
March 23, 2011
(Executive Action)

Senate

Committee: Public Health, Welfare and Safety

Hearing Date(s):
February 14, 2011
February 16, 2011 (Executive Action)

Conference Committee

Hearing Date(s): n/a

Compiler Notes

Compiled by: sg

Date:

May 14, 2024

Notes:

Bill Draft Number: LC0569
Bill Type - Number: SB 241
Short Title: Revise calculation of physician reimbursement for Medicaid services
Primary Sponsor: Jason Priest (R) SD 30
Chapter Number: 397

Bill Actions - **Current Bill Progress:** Became Law

Bill Action Count: 57

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	05/12/2011			
(S) Transmitted to Governor	05/02/2011			
(H) Signed by Speaker	05/02/2011			
(S) Signed by President	05/02/2011			
(C) Printed - Enrolled Version Available	04/08/2011			
(S) Returned from Enrolling	04/08/2011			
(S) Sent to Enrolling	04/06/2011			
(S) 3rd Reading Passed as Amended by House	04/06/2011	40	9	
(S) Scheduled for 3rd Reading	04/06/2011			
(S) 2nd Reading House Amendments Concurred	04/05/2011	40	9	
(S) Scheduled for 2nd Reading	04/05/2011			
(H) Returned to Senate with Amendments	03/31/2011			
(H) 3rd Reading Concurred	03/31/2011	99	0	
(H) Scheduled for 3rd Reading	03/31/2011			
(H) 2nd Reading Concurred	03/30/2011	99	1	
(H) Scheduled for 2nd Reading	03/30/2011			
(C) Printed - New Version Available	03/24/2011			
(H) Committee Report--Bill Concurred as Amended	03/24/2011			(H) Human Services
(H) Committee Executive Action--Bill Concurred as Amended	03/23/2011	14	1	(H) Human Services
(H) Hearing	03/09/2011			(H) Human Services
(H) Referred to Committee	03/03/2011			(H) Human Services
(H) First Reading	03/03/2011			
(S) Transmitted to House	02/24/2011			
(S) 3rd Reading Passed	02/24/2011	36	13	
(S) Scheduled for 3rd Reading	02/24/2011			
(S) 2nd Reading Passed	02/23/2011	39	11	
(S) Scheduled for 2nd Reading	02/23/2011			
(S) Revised Fiscal Note Printed	02/22/2011			
(S) Revised Fiscal Note Received	02/19/2011			
(C) Printed - New Version Available	02/17/2011			

(S) Committee Report--Bill Passed as Amended	02/17/2011			(S) Public Health, Welfare and Safety
(S) Revised Fiscal Note Requested	02/17/2011			
(S) Committee Executive Action--Bill Passed as Amended	02/16/2011	7	1	(S) Public Health, Welfare and Safety
(S) Sponsor Rebuttal to Fiscal Note Printed	02/15/2011			
(S) Sponsor Rebuttal to Fiscal Note Signed	02/15/2011			
(S) Sponsor Rebuttal to Fiscal Note Received	02/15/2011			
(S) Hearing	02/14/2011			(S) Public Health, Welfare and Safety
(S) Sponsor Rebuttal to Fiscal Note Requested	02/14/2011			(S) Public Health, Welfare and Safety
(S) Fiscal Note Printed	02/11/2011			
(S) Fiscal Note Received	02/09/2011			
(C) Introduced Bill Text Available Electronically	01/31/2011			
(S) Referred to Committee	01/31/2011			(S) Public Health, Welfare and Safety
(S) First Reading	01/31/2011			
(S) Fiscal Note Requested	01/31/2011			
(S) Introduced	01/31/2011			
(C) Draft Delivered to Requester	01/26/2011			
(C) Draft Ready for Delivery	01/25/2011			
(C) Draft in Assembly/Executive Director Review	01/24/2011			
(C) Draft in Final Drafter Review	01/24/2011			
(C) Bill Draft Text Available Electronically	01/24/2011			
(C) Draft in Input/Proofing	01/24/2011			
(C) Draft to Drafter - Edit Review [SAB]	01/24/2011			
(C) Draft in Legal Review	01/20/2011			
(C) Draft to Requester for Review	01/19/2011			
(C) Draft On Hold	01/07/2011			
(C) Fiscal Note Probable	10/29/2010			
(C) Draft Request Received	10/29/2010			

Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	McNutt	Walter	
Drafter	O'Connell	Sue	
Primary Sponsor	Priest	Jason	

Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Health Care Services (see also: Health)		Simple	HLTC
Professions and Occupations O-Z		Simple	PROO
Rule Making		Simple	RUL
Social Services		Simple	SOC
State Finance (see also: Appropriations; Taxation Subjects)		Simple	STF

Additional Bill Information

Fiscal Note Probable: Yes
Preintroduction Required: N
Session Law Ch. Number: 397
DEADLINE
Category: General Bills
Transmittal Date: 02/24/2011
Return (with 2nd house amendments) Date: 04/01/2011

Section Effective Dates

Section(s)	Effective Date	Date Qualified
All Sections	12-MAY-11	

Section 10. Applicability. [This act] applies to an environmental assessment and an environmental impact statement begun on or after [the effective date of this act].

Section 11. Termination — contingency. If either subsection (6)(c) or (6)(d) of 75-1-201, as included in [section 6], is invalidated or found to be unconstitutional by the Montana supreme court, then the amendments to 75-1-201 contained in [section 6] terminate on the date of the invalidation or the finding of unconstitutionality.

Approved May 12, 2011

CHAPTER NO. 397

[SB 241]

AN ACT REVISING THE FORMULA FOR DETERMINING MEDICAID REIMBURSEMENT RATES FOR PHYSICIANS; REVISING DEFINITIONS; AMENDING SECTIONS 53-6-124 AND 53-6-125, MCA; REPEALING SECTION 53-6-126, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 53-6-124, MCA, is amended to read:

"53-6-124. Definitions. As used in ~~53-6-124 through~~ *53-6-125,* 53-6-127, *and this section,* the following definitions apply:

(1) "Conversion factor" means the ~~average of the conversion factors used by the top five insurers or third-party administrators providing disability insurance to the most beneficiaries within the state in January 2007 who use the resource-based relative value scale to determine fees for covered services. This January 2007 conversion factor is applicable for state fiscal years 2008, 2009, 2010, 2011, 2012, and 2013. In state fiscal year 2014 and for each state fiscal year thereafter, the conversion factor is the average of the conversion factors used by the top five insurers or third-party administrators providing disability insurance to the most beneficiaries within the state who use the resource-based relative value scale to determine fees for covered services~~ *dollar value that is multiplied by the appropriate relative value unit to calculate a price for a service provided by a physician.*

(2) "Department" means the department of public health and human services.

(3) "Medicaid" means the Montana medical assistance program established under Title 53, chapter 6.

(4) "Physician" has the meaning provided in 37-3-102.

(5) "Policy adjuster" means a factor by which the fee determined under 53-6-125 is multiplied to increase the fee paid by medicaid for certain categories of services.

(6) "Relative value unit" means a numerical value assigned in the resource-based relative value scale to each procedure code used to bill for services provided by a physician.

(7) "Resource-based relative value scale" means the medicare resource-based relative value scale contained in the physician's medicare fee schedule adopted by the centers for medicare and medicaid services of the U.S. department of health and human services."

Section 2. Section 53-6-125, MCA, is amended to read:

"53-6-125. Physician services reimbursement. (1) The fee for a covered service provided by a physician under the medicaid program is determined by multiplying ~~a percentage of~~ the conversion factor times the relative value unit for that service times any applicable policy adjusters.

(2) ~~(a) For state fiscal years 2008 and 2009, the percentage of the conversion factor will be determined by the appropriation of the 2007 legislature for physician reimbursement.~~

~~(b) For state fiscal year 2010, the 2009 percentage of the conversion factor will be increased by a minimum of 6%.~~

~~(c) For state fiscal year 2011, the 2010 percentage of the conversion factor will be increased by a minimum of 6%.~~

~~(d) For state fiscal year 2012, the 2011 percentage of the conversion factor will be increased by a minimum of 6%.~~

~~(e) For state fiscal year 2013, the 2012 percentage of the conversion factor will be increased by a minimum of 6%.~~

(a) For state fiscal years 2011 through 2013, the conversion factor is $40.09. The conversion factor may be adjusted by the department in order to maintain reimbursement, at a minimum, at the fiscal year 2010 reimbursement rate.

~~(f)~~*(b)* For state fiscal year 2014 and for each *subsequent* state fiscal year ~~thereafter, the percentage of~~, the conversion factor ~~will~~ *must* be ~~equivalent~~ *increased*, at a minimum, ~~to state fiscal year 2013~~ *by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor.*"

Section 3. Repealer. The following section of the Montana Code Annotated is repealed:

53-6-126. Providing conversion factors to department.

Section 4. Effective date. [This act] is effective on passage and approval.

Section 5. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to July 1, 2010.

Approved May 12, 2011

CHAPTER NO. 398

[SB 292]

AN ACT DEFINING "IN SITU COAL GASIFICATION"; DIRECTING THE BOARD OF ENVIRONMENTAL REVIEW TO ADOPT RULES FOR IN SITU COAL GASIFICATION; CLARIFYING THAT INJECTIONS INTO GROUNDWATER FOR IN SITU COAL GASIFICATION ARE NOT POLLUTION; AND AMENDING SECTIONS 75-5-103 AND 82-4-203, MCA.

Be it enacted by the Legislature of the State of Montana:

Section 1. Rulemaking — in situ coal gasification. (1) Within 1 year of [the effective date of this act] and in accordance with subsection (3), the board shall adopt rules necessary to regulate underground mining using in situ coal gasification.

(2) Unless required by this part, the board may not adopt a rule to regulate in situ coal gasification that is more stringent than the comparable federal regulations or guidelines that address the same circumstances.

SENATE BILL NO. 241

INTRODUCED BY J. PRIEST

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE FORMULA FOR DETERMINING MEDICAID REIMBURSEMENT RATES FOR PHYSICIANS; REVISING DEFINITIONS; AMENDING SECTIONS 53-6-124 AND 53-6-125, MCA; REPEALING SECTION 53-6-126, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-6-124, MCA, is amended to read:

"53-6-124. Definitions. As used in ~~53-6-124 through~~ 53-6-125, 53-6-127, and this section, the following definitions apply:

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(2) "Department" means the department of public health and human services.

(3) "Medicaid" means the Montana medical assistance program established under Title 53, chapter 6.

(4) "Physician" has the meaning provided in 37-3-102.

(5) "Policy adjuster" means a factor by which the fee determined under 53-6-125 is multiplied to increase the fee paid by medicaid for certain categories of services.

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~~(d) For state fiscal year 2012, the 2011 percentage of the conversion factor will be increased by a minimum of 6%.~~

~~(e) For state fiscal year 2013, the 2012 percentage of the conversion factor will be increased by a minimum of 6%.~~

(a) For state fiscal years 2011 through 2013, the conversion factor is a minimum of $40.09 and must be increased by the same percentage increase made in the reimbursement rates for other providers of medicaid services.

~~(f)~~(b) For state fiscal year 2014 and for each subsequent state fiscal year ~~thereafter, the percentage of~~, the conversion factor ~~will~~ must be ~~equivalent~~ increased, at a minimum, ~~to state fiscal year 2013~~ by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor."

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53-6-126. Providing conversion factors to department.

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 5. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to July 1, 2010.

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(a) For state fiscal years 2011 through 2013, the conversion factor is ~~a minimum of~~ $40.09 and must be increased by the same percentage increase made in the reimbursement rates for other providers of medicaid services. THE CONVERSION FACTOR MAY BE ADJUSTED BY THE DEPARTMENT IN ORDER TO MAINTAIN REIMBURSEMENT, AT A MINIMUM, AT THE FISCAL YEAR 2010 REIMBURSEMENT RATE.

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Section 3. Repealer. The following section of the Montana Code Annotated is repealed:

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Section 4. Effective date. [This act] is effective on passage and approval.

Section 5. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to July 1, 2010.

- END -

I hereby certify that the within bill,

SB 0241, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day

of _____, 2011.

Speaker of the House

Signed this _____ day

of _____, 2011.

SENATE BILL NO. 241

INTRODUCED BY J. PRIEST

AN ACT REVISING THE FORMULA FOR DETERMINING MEDICAID REIMBURSEMENT RATES FOR PHYSICIANS; REVISING DEFINITIONS; AMENDING SECTIONS 53-6-124 AND 53-6-125, MCA; REPEALING SECTION 53-6-126, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING

Fiscal Note 2013 Biennium

Bill #	SB0241	**Title:**	Revise calculation of physician reimbursement for Medicaid services
Primary Sponsor:	Priest, Jason	**Status:**	As Amended

☐ Significant Local Gov Impact ☐ Needs to be included in HB 2 ☑ Technical Concerns

☐ Included in the Executive Budget ☐ Significant Long-Term Impacts ☐ Dedicated Revenue Form Attached

FISCAL SUMMARY

	FY 2012 Difference	FY 2013 Difference	FY 2014 Difference	FY 2015 Difference
Expenditures:				
General Fund	$0	$0	$1,194,202	$2,542,440
Federal Special Revenue	$0	$0	$2,291,501	$4,878,575
Revenue:				
Federal Special Revenue	$0	$0	$2,291,501	$4,878,575
Net Impact-General Fund Balance:	$0	$0	($1,194,202)	($2,542,440)

Description of fiscal impact: This proposal sets the Medicaid Reimbursement conversion factor, which is a component of the formula for calculating the physician services reimbursement rate for FY 2011-FY 2013 and provides for an increase in the conversion factor starting in FY 2014.

FISCAL ANALYSIS

Assumptions:

1. Section 2, Line 4 through 6 of the bill states "53-6-125. Physician services reimbursement. (1) The fee for a covered service provided by a physician under the medicaid program is determined by multiplying a percentage of the conversion factor times the relative value unit for that service times any applicable policy adjusters."
2. Section 2, (2) of the bill requires, for state fiscal years 2011 through 2013, the conversion factor to be $40.09 and must be increased by the same percentage made in the reimbursement rates for other providers of Medicaid services. The conversion factor may be adjusted by the department to maintain reimbursement, at a minimum, of the fiscal year 2010 reimbursement rate. To the extent that the department reduced the

conversion factor, the cost of this fiscal note would be reduced. For purposes of this fiscal note, it is calculated without the impact of reducing the conversion factor.

3. In section 2, (2) the bill requires for state fiscal year 2014 and for each subsequent state fiscal year, the conversion factor must be increased, at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year. It is assumed the consumer price index will increase 3.4% for medical care services for all urban consumers.
4. The Federal Medical Assistance Percentages (FMAP) are estimated at 65.74% in SFY 2014 and SFY 2015.

FY	Total Physician Costs	CPI	Impact	FMAP	Gen Fund	Fed Fund
2014	$102,520,690	3.40%	$3,485,703	65.74%	$1,194,202	$2,291,501
2015	$115,744,482	3.40%	$7,421,015	65.74%	$2,542,440	$4,878,575

	FY 2012 Difference	FY 2013 Difference	FY 2014 Difference	FY 2015 Difference
Fiscal Impact:				
Expenditures:				
Benefits	$0	$0	$3,485,703	$7,421,015
TOTAL Expenditures	$0	$0	$3,485,703	$7,421,015
Funding of Expenditures:				
General Fund (01)	$0	$0	$1,194,202	$2,542,440
Federal Special Revenue (03)	$0	$0	$2,291,501	$4,878,575
TOTAL Funding of Exp.	$0	$0	$3,485,703	$7,421,015
Revenues:				
General Fund (01)	$0	$0	$0	$0
Federal Special Revenue (03)	$0	$0	$2,291,501	$4,878,575
TOTAL Revenues	$0	$0	$2,291,501	$4,878,575
Net Impact to Fund Balance (Revenue minus Funding of Expenditures):				
General Fund (01)	$0	$0	($1,194,202)	($2,542,440)
Federal Special Revenue (03)	$0	$0	$0	$0

Technical Notes:

1. The budget recommendations finalized February 18, 2011 by the Joint Subcommittee on Health and Human Services reduced funding by $9,801,098 total funds for the 2013 Biennium for physicians services. This action would require the reduction of the conversion factor below the 2010 base levels which would be in conflict with SB 241.

Sponsor's Initials	*Date*	*Budget Director's Initials*	*Date*

SPONSOR'S REBUTTAL TO FISCAL NOTE

Bill Number: SB 241 **Date Prepared:** February 15, 2011

Short Title: Revise Calculation of Physician reimbursement for Medicaid Services

Sponsor: Senator Jason Priest

Fiscal Note Version and Date: SB 241-01 February 9. 2011

Generally, why do you disagree with the fiscal note?
The fiscal note does not accurately reflect current law, due to the Governor disregarding 53-6-125 MCA in the Governor's Budget.

Specifically, what in the fiscal note do you feel is flawed?
The Governor continued to use 17-7-140, MCA to exclude, in the executive budget, the statutory rate increases for Physician Medicaid reimbursement as prescribed in 53-6-125, MCA for FY2012, FY 2013, and FY2014. (See fiscal note for HB35).

What is your estimate of the fiscal impact?
FY2012 should reflect an expenditure savings of $3,471,546, general fund savings of $1,213,756 and federal special revenue savings of $2,457,789 for a total funding of expenditures savings of $3,671,545 (See fiscal note for HB35).

FY2013 should reflect an expenditure savings of $3,992,637, general fund savings of $1,337,577 and federal special revenue savings of $2,655,060 for a total funding of expenditures savings of $3,992,637 (See fiscal note for HB35).

FY2014 should reflect actual savings between current law and SB241 of $4,341,809 - $1,194,202 = $3,147,607.

FY2015 should reflect actual savings between current law and SB241 of $4,721,517 - $2,542,440 = $2,179,077.

MINUTES

MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Jason Priest, on February 14, 2011 at 3:00 PM, in Room 317-C Capitol

ROLL CALL

Members Present:

Sen. Jason Priest, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Kim Gillan (D)
Sen. Rowlie Hutton (R)
Sen. Dave Lewis (R)

Members Excused: Sen. Jeff Essmann (R)
Sen. Kendall Van Dyk (D)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Liane Taylor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing: SB 241
SB 309

HEARING ON SB 309

Opening Statement by Sponsor:

00:00:44 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 309, Study insurance alternatives for low-income individuals under PPACA.

Proponents' Testimony:

00:04:53 Cynthia Wolken, representing Center for Rural Affairs (CRA)
00:05:31 Olivia Riutta, Montana Women Vote (MWV)
00:07:28 Kim Abbott, representing Montana Human Rights Network (HRN)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

00:09:25 Chairman Priest
00:09:34 Sen. Kaufmann
00:09:51 Chairman Priest

Closing by Sponsor:

00:10:14 Sen. Kaufmann

HEARING ON SB 241

Opening Statement by Sponsor:

00:11:30 Sen. Jason Priest (R), SD 30, opened the hearing on SB 241, Revise calculation of physician reimbursement for Medicaid services.

Proponents' Testimony:

00:14:34 Erin MacLean, Montana Medical Association (MMA)
00:19:21 Dr. Tarif Bakdash
00:21:19 Dr. David Chavez
00:25:26 Dr. K. C. Brewington
00:27:01 Dr. Mark Rumans, Billings Clinic
00:28:33 Dr. Paul Cook, Rocky Mountain Health Network (RMHN)
00:30:26 Mike Foster, representing Catholic Hospitals
00:32:15 Bob Olson, Montana Hospital Association (MHA)
00:35:41 Gabriel Kristal, Montana Nurses Association (MNA)

Opponents' Testimony:

00:36:20 Terry Krantz, Division Manager, Health Resources Division, Department of Public Health and Human Servces (DPHHS)
00:42:03 David Ewer, Budget Director, Office of the Governor
00:46:04 Matt Bugni, representing A.W.A.R.E., Inc.

Informational Testimony: None

Questions from Committee Members and Responses:

00:48:30 Sen. Lewis
00:49:38 Terry Krantz, DPHHS
00:51:28 David Ewer, Office of the Governor
00:52:50 Sen. Lewis
00:53:00 David Ewer
00:53:15 Sen. Lewis
00:54:29 Pat Sullivan, Office of the Governor, without objection from the committee
00:55:29 Sen. Lewis
00:56:20 Pat Sullivan
00:56:41 Sen. Hutton
00:57:32 Erin MacLean, MMA
00:57:44 Mike Foster, Catholic Hospitals
00:59:00 Sen. Hutton
00:59:11 Mike Foster
01:00:24 Sen. Hutton
01:01:02 Mike Foster
01:01:38 Sen. Hutton
01:02:48 David Ewer
01:02:59 Sen. Hutton
01:03:23 David Ewer
01:06:06 Sen. Hutton

01:02:29 Sen. Van Dyke joined the committee.

01:07:17 Sen. Gillan
01:08:14 Mike Foster
01:08:32 Sen. Gillan
01:08:41 Erin MacLean, MMA
01:09:04 Sen. Gillan
01:09:12 Erin MacLean
01:09:53 Sen. Gillan
01:11:05 Erin MacLean

Closing by Sponsor:

01:11:13 Sen. Priest

ADJOURNMENT

01:12:06 Adjournment:

_____
Liane Taylor, Secretary

It

Additional Documents:

EXHIBIT(phs36aad.pdf)

MINUTES

MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Jason Priest, on February 16, 2011 at 3:00 PM, in Room 317-C Capitol

ROLL CALL

Members Present:

Sen. Jason Priest, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Kim Gillan (D)
Sen. Rowlie Hutton (R)
Sen. Dave Lewis (R)
Sen. Kendall Van Dyk (D)

Members Excused: Sen. Jeff Essmann (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Liane Taylor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing: SB 310

Executive Action: SB 37
SB 161
SB 249
SB 309
SB 2
SB 241

HEARING ON SB 310

Opening Statement by Sponsor:

00:01:15 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 310, Create a CHIP buy-in program.

Proponents' Testimony:

00:05:26 Anita Roessmann, representing Disability Rights Montana (DRM)
00:07:12 Gabriel Kristal, representing Montana Nurses Association (MNA)
00:07:50 Kim Abbott, Montana Human Rights Network (MHRN)
00:09:04 Kristina Davis, Children's Defense Fund (CDF)
00:10:41 Aimee Grmoljez, Billings Clinic

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:12:04 Sen. Gillan
00:12:12 Sen. Kaufmann
00:12:48 Sen. Gillan
00:13:02 Sen. Kaufmann
00:13:35 Sen. Priest
00:13:48 Sen. Kaufmann
00:14:43 Sen. Priest
00:15:13 Sen. Kaufmann

Closing by Sponsor:

00:16:14 Sen. Kaufmann

EXECUTIVE ACTION ON SB 241

00:18:45 **Motion:** Sen Priest moved that **SB 241 DO PASS.**

00:20:04 **Motion:** Sen Priest moved that **SB 241 BE AMENDED.**
EXHIBIT(phs38a01)

Discussion:

00:22:00 Sen. Gillan
00:23:06 Erin MacLean, representing Montana Medical Association (MMA), without objection from the committee.
00:24:12 Sen. Gillan
00:24:48 Erin MacLean, MMA

00:25:08 Sen. Gillan
00:25:16 Erin MacLean
00:25:24 Sen. Priest
00:25:39 Julianne Burkhardt, LSD

00:26:19 **Substitute Motion:** Sen. Gillan moved that a substitute amendment be combined with previous amendment.

00:27:04 Sen. Priest

00:27:16 **Vote:** Motion carried unanimously by voice vote of those present and voting.

00:27:29 **Motion:** Sen. Priest moved that **SB 241 DO PASS AS AMENDED.**

00:28:07 Sen. Gillan
00:28:38 Sen. Caferro
00:31:20 Sen. Priest
00:32:04 Sen. Caferro
00:32:25 Sen. Van Dyk
00:33:18 Sen. Gillan
00:34:14 Sen. Priest

00:34:24 **Vote:** Motion carried 7-1 with Sen. Van Dyk voting no and Sens. Essmann and Lewis voting by proxy.

EXECUTIVE ACTION ON SB 37

00:35:47 **Motion/Vote:** Sen. Murphy moved that **SB 37 DO PASS.** Motion failed unanimously by roll call vote with Sens. Essmann, Gillan and Lewis voting by proxy.

EXECUTIVE ACTION ON SB 161

00:37:59 **Motion:** Sen. Murphy moved that **SB 161 DO PASS.**

00:38:39 **Motion:** Sen. Murphy moved that **SB 161 BE AMENDED.**
EXHIBIT(phs38a02)

00:38:52 Sen. Priest

Discussion:

00:39:05 Sen. Priest
00:41:24 Sen. Van Dyk
00:41:46 Julianne Burkhardt, LSD
00:42:05 Sen. Van Dyk
00:42:10 Sen. Priest

00:43:32 **Vote:** Motion carried 7-1 by roll call vote with Sen. Van Dyk voting no and Sens. Essmann, Gillan and Lewis voting by proxy.

00:43:37 **Motion:** Sen. Murphy moved that **SB 161 DO PASS AS AMENDED**.

Discussion:

00:43:52 Sen. Caferro
00:43:57 Sen Priest
00:44:20 Sen. Caferro
00:45:54 Sen. Van Dyk
00:47:35 Sen. Priest

00:47:41 **Vote:** Motion failed 2-6 with Sens. Murphy and Lewis voting aye and Sens. Essmann, Gillan, and Lewis voting by proxy.

EXECUTIVE ACTION ON SB 249

00:49:20 **Motion:** Sen. Murphy moved that **SB 249 DO PASS.**
EXHIBIT(phs38a03)
EXHIBIT(phs38a04)

00:50:59 **Motion:** Sen. Van Dyk moved that **SB 249 BE AMENDED.**

Discussion:

00:51:18 Sen. Priest

00:51:41 **Vote:** Motion carried unanimously by voice vote with Sen. Gillan, Essmann and Lewis voting by proxy.

00:51:58 **Motion:** Sen. Murphy moved that **SB 249 BE AMENDED.** Motion carried unanimously by voice vote with Sens. Essmann, Gillan and Lewis voting by proxy.

00:52:53 **Motion/Vote:** Sen. Murphy moved that **SB 249 DO PASS AS AMENDED.** Motion failed 3-5 by roll call vote with Sens. Caferro, Gillan and Van Dyk voting aye and Sens. Essmann and Gillan voting by proxy.

00:53:55 **Motion:** Sen. Murphy moved to reverse the vote and **TABLE SB 249.** Without objection motion carried.

EXECUTIVE ACTION ON SB 37

00:54:05 **Motion:** Sen. Murphy moved to reverse the vote and **TABLE SB 37**. Without objection of those present and voting, motion carried.

EXECUTIVE ACTION ON SB 161

00:54:52 **Motion:** Sen. Murphy moved to reverse the vote and **TABLE SB 161**. Without objection of those present and voting, motion carried.

EXECUTIVE ACTION ON SB 309

00:55:45 **Motion:** Sen. Van Dyk moved that **SB 309 DO PASS**.
EXHIBIT(phs38a05)

00:56:38 **Motion/Vote:** Sen. Murphy moved that **SB 309 BE AMENDED.** Motion carried unanimously by voice vote with Sens. Essmann and Gillan voting by proxy.

00:57:12 **Motion:** Sen. Murphy moved that **SB 309 DO PASS AS AMENDED.**

Discussion:

00:57:26 Sen. Caferro
00:57:57 Sen. Priest

00:58:15 **Vote**: Motion failed 3-5 with Sens. Caferro, Gillan and Van Dyk voting aye and Sen. Essmann voting by proxy.

00:59:01 Without objection, Sen. Murphy moved to reverse and table the bill.

00:59:58 Committee business

EXECUTIVE ACTION ON SB 2

01:00:11 **Motion:** Sen. Gillan moved that **SB 2 BE RECONSIDERED.**

Discussion:

01:02:18 Sen. Murphy
01:02:42 Sen. Hutton
01:04:13 Sen. Caferro
01:05:23 Sen. Hutton
01:05:38 Sen. Gillan
01:07:35 Sen. Priest

01:08:58 **Vote:** Motion carried 5-3 with Sens. Lewis, Hutton and Murphy voting no and Sen. Essmann voting by proxy.

01:09:36 **Motion:** Sen. Gillan moved that **SB 2 DO PASS.**

Discussion:

01:10:56 Sen. Murphy
01:11:01 Sen. Gillan
01:11:17 Sen. Priest

01:11:20 **Vote:** Motion carried 5-3 by roll call vote with Sens. Lewis, Hutton and Murphy voting no and Sen. Essmann voting by proxy.

ADJOURNMENT

01:14:21 Adjournment:

_____
Liane Taylor, Secretary

It

Additional Documents:

EXHIBIT(phs38aad.pdf)

PUBLIC HEALTH, WELFARE & SAFETY
Exhibit No. 1
Date 2/16/11
Bill No. SB 241

Amendments to Senate Bill No. 241
1st Reading Copy

Requested by Senator Jason Priest

For the Senate Public Health, Welfare and Safety Committee

Prepared by Julianne Burkhardt
February 16, 2011 (1:47pm)

1. Page 2, line 17.
Following: "conversion factor is"
Strike: "a minimum of"

2. Page 2, line 19.
Following: "services."
Insert: "The conversion factor may be adjusted by the department in order to maintain reimbursement, at a minimum, at the 2010 reimbursement rate."

- END -

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair David Howard, on March 9, 2011 at 3:00 PM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. David Howard, Chairman (R)
Rep. Pat Noonan, Vice Chairman (D)
Rep. Cary Smith, Vice Chairman (R)
Rep. Liz Bangerter (R)
Rep. Steve Fitzpatrick (R)
Rep. Timothy Furey (D)
Rep. Ellie Boldman Hill (D)
Rep. Chuck Hunter (D)
Rep. Dan Kennedy (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Dan Skattum (R)
Rep. Max Yates (R)

Members Excused: Rep. Pat Ingraham (R)
Rep. Michael (Mike) More (R)
Rep. Joe Read (R)

Members Absent: None

Staff Present: Miranda Keaster, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 224, 3/4/2011; SB 241, 3/4/2011

00:00:10 Chairman Howard

HEARING ON SB 241

Opening Statement by Sponsor:

00:01:53 Sen. Jason Priest (R), SD 30, opened the hearing on SB 241, Revise calculation of physician reimbursement for Medicaid services.

Proponents' Testimony:

00:03:39 Erin MacLean, Montana Medical Association
00:05:11 Bob Olsen, Montana Hospital Association
00:07:03 Rep. Read entered.
00:08:50 Mike Foster, Catholic Hospitals of Montana
00:10:20 Bill Warden, Benefis Great Falls, Bozeman Deaconess, St. Peter's Hospital
00:10:43 Aimee Grymoljez, Billings Hospital

Opponents' Testimony:

00:11:21 John Metropoulos, AWARE
00:11:53 Rep. More entered.
00:12:05 Rep. Noonan and Rep. Hill exited.
00:12:23 Rep. Hill entered.

Informational Testimony: None

Questions from Committee Members and Responses:

00:16:04 Rep. Hunter
00:17:23 Sen. Priest
00:18:56 Rep. Bangerter
00:19:01 Rep. Ingraham entered.
00:19:08 Sen. Priest

Closing by Sponsor:

00:20:53 Sen. Priest

HEARING ON SB 224

Opening Statement by Sponsor:

00:22:15 Sen. Jason Priest (R), SD 30, opened the hearing on SB 224, Require legislative action for grant application for patient protection act.

EXHIBIT(huh53a01)

Proponents' Testimony:

00:24:29 Pat McCain, Self
00:25:47 Tim Ravndal, Lewis and Clark Conservative Tea Party
00:28:24 Rep. Furey exited.
00:28:30 Bob Faw, Self

Opponents' Testimony: None

Informational Testimony:

00:29:01 Jackie Boyle, Officer of Commissioner of Insurance and Securities (MT CSI)

Questions from Committee Members and Responses:

00:29:23 Rep. Yates
00:29:53 Sen. Priest
00:30:22 Rep. Yates
00:30:38 Jackie Boyle, MT CSI
00:32:56 Rep. Yates
00:33:18 Jackie Boyle
00:35:00 Rep. Smith
00:35:10 Jackie Boyle
00:35:49 Rep. Smith
00:35:59 Jackie Boyle
00:36:55 Rep. Kennedy
00:37:05 Jackie Boyle
00:37:59 Rep. Hunter
00:38:31 Jackie Boyle
00:39:58 Rep. Hunter
00:40:20 Jackie Boyle
00:41:15 Rep. Hunter
00:42:04 Sen. Priest
00:43:42 Rep. Hunter
00:44:38 Sen. Priest
00:45:07 Rep. Smith
00:45:31 Jackie Boyle
00:46:35 Rep. Ingraham
00:47:45 Jackie Boyle
00:50:10 Rep. Ingraham
00:50:23 Rep. Furey entered.
00:51:02 Sen. Priest
00:52:02 Rep. Pease-Lopez
00:52:41 Sen. Priest
00:52:53 Rep. Pease-Lopez
00:53:31 Sen. Priest
00:55:06 Rep. Pease-Lopez
00:56:00 Sen. Priest

Closing by Sponsor:

00:56:36 Sen. Priest

00:57:56 Chairman Howard

EXECUTIVE ACTION ON HJ 8

00:59:53 Rep. Smith

01:00:25 **Motion:** Rep. Hunter moved that **HJ 8 DO PASS**.

Discussion:

01:00:54 **Motion:** Rep. Hunter moved that **HJ 8 BE AMENDED**.
EXHIBIT(huh53a02)

Discussion:

01:01:19 Rep. Pease-Lopez
01:01:32 Rep. Read

01:01:37 **Vote:** Motion carried 14-0 by voice vote. Rep. Noonan did not vote.

01:01:51 **Motion:** Rep. Hunter moved that **HJ 8 DO PASS AS AMENDED**.

Discussion:

01:02:16 Rep. Furey
01:02:40 Rep. Hill
01:03:21 Rep. Yates
01:04:14 Rep. Pease-Lopez
01:05:35 Rep. Hunter
01:06:37 Rep. Read
01:07:05 Rep. Noonan entered.
01:07:49 Rep. Kennedy
01:08:10 Chairman Howard
01:08:56 Rep. More
01:11:30 Rep. Pease-Lopez
01:13:13 Rep. Yates
01:15:03 Rep. Hunter
01:16:22 Rep. Yates
01:17:08 Rep. Hunter

01:18:07 **Vote:** Motion carried 8-7 by roll call vote with Rep. Fitzpatrick, Rep. Howard, Rep. Ingraham, Rep. Kennedy, Rep. Skattum, Rep. Smith and Rep. Yates voting no.

01:19:15 Rep. Pease-Lopez
01:19:20 Rep. Pease-Lopez exited.

EXECUTIVE ACTION ON SB 125

01:19:23 **Motion:** Rep. C. Smith moved that **SB 125 BE CONCURRED IN**.

Discussion:

01:20:03 Chairman Howard
01:20:09 Rep. More
01:20:19 Rep. Skattum
01:20:36 Rep. Noonan

01:20:40 **Vote:** Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Pease-Lopez voted by proxy. Rep. C. Smith will carry the bill.

EXECUTIVE ACTION ON SB 176

01:21:30 **Motion/Vote:** Rep. C. Smith moved that **SB 176 BE CONCURRED IN**. Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Pease-Lopez voted by proxy. Rep. Howard will carry the bill.

EXECUTIVE ACTION ON SB 189

01:22:58 **Motion/Vote:** Rep. C. Smith moved that **SB 189 BE CONCURRED IN**. Motion carried 9-6 by roll call vote with Rep. Ingraham, Rep. Kennedy, Rep. More, Rep. Read, Rep. Skattum and Rep. Smith voting no. Rep. Pease-Lopez voted by proxy. Rep. Noonan will carry the bill.

ADJOURNMENT

Adjournment: 01:24:13

Miranda Keaster, Secretary

mk

Additional Documents:

EXHIBIT(huh53aad.pdf)

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair David Howard, on March 23, 2011 at 3:30 PM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. David Howard, Chairman (R)
Rep. Pat Noonan, Vice Chairman (D)
Rep. Cary Smith, Vice Chairman (R)
Rep. Liz Bangerter (R)
Rep. Steve Fitzpatrick (R)
Rep. Chuck Hunter (D)
Rep. Pat Ingraham (R)
Rep. Dan Kennedy (R)
Rep. Michael (Mike) More (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Joe Read (R)
Rep. Dan Skattum (R)
Rep. Max Yates (R)

Members Excused: Rep. Timothy Furey (D)
Rep. Ellie Boldman Hill (D)

Members Absent: None

Staff Present: Miranda Keaster, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: HB 68, SB 241, SB 224, SB 284, SB 210, SB 132, SB 366, SB 370, SB 272, HB 175

00:00:04 Chairman Howard
00:00:34 Rep. Hill entered.

EXECUTIVE ACTION ON HB 68

00:01:00 **Motion/Vote:** Rep. C. Smith moved that **HB 68 BE TABLED**. Motion carried 9-6 by roll call vote with Rep. Bangerter, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Furey voted by proxy.

EXECUTIVE ACTION ON HB 175

00:02:54 **Motion:** Rep. C. Smith moved that **HB 175 DO PASS**.

00:03:30 **Motion:** Rep. C. Smith moved that **HB 175 BE AMENDED**.

EXHIBIT(huh65a01)

Discussion:

00:03:39 Sue O'Connell, Legislative Services Division (LSD)

00:04:14 **Vote:** Motion carried 11-4 by roll call vote with Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Furey voted by proxy.

00:05:06 **Motion:** Rep. C. Smith moved that **HB 175 DO PASS AS AMENDED**.

Discussion:

00:05:12 Rep. Noonan
00:06:18 Rep. Hill

00:06:56 **Vote:** Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Furey voted by proxy.

EXECUTIVE ACTION ON SB 132

00:08:03 **Motion:** Rep. C. Smith moved that **SB 132 BE CONCURRED IN**.

Discussion:

00:08:36 Rep. Hunter
00:09:27 Rep. Hill
00:10:15 Rep. Bangerter
00:10:37 Chairman Howard
00:11:01 Rep. Smith

00:11:17 **Vote:** Motion failed 7-8 by roll call vote with Rep. Fitzpatrick, Rep. Hill, Rep. Howard, Rep. Ingraham, Rep. Kennedy, Rep. More and Rep. Yates voting aye. Rep. Furey voted by proxy.

00:12:14 **Motion/Vote:** Rep. Skattum moved that **SB 132 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote, present and voting.

EXECUTIVE ACTION ON SB 210

00:12:29 **Motion/Vote:** Rep. C. Smith moved that **SB 210 BE CONCURRED IN**. Motion carried 13-2 by roll call vote with Rep. More and Rep. Skattum voting no. Rep. Furey voted by proxy. Rep. Furey will carry the bill.

00:14:15 Chairman Howard
00:14:47 Sue O'Connell

EXECUTIVE ACTION ON SB 224

00:15:07 **Motion:** Rep. C. Smith moved that **SB 224 BE CONCURRED IN**.

Discussion:

00:15:50 Chairman Howard
00:15:58 Rep. Smith
00:16:55 Rep. Hunter

00:17:38 **Vote:** Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Furey voted by proxy. Rep. Fitzpatrick will carry the bill.

00:19:10 Chairman Howard

EXECUTIVE ACTION ON SB 241

00:19:34 **Motion:** Rep. C. Smith moved that **SB 241 BE CONCURRED IN**.

Discussion:

00:20:09 Rep. Bangerter

00:20:42 **Motion:** Rep. C. Smith moved that **SB 241 BE AMENDED**.

EXHIBIT(huh65a02)

Discussion:

00:21:00 Sue O'Connell, LSD
00:21:35 Chairman Howard
00:21:39 Rep. Hunter

00:21:53 Chairman Howard
00:22:13 Erin MacLean Fincham, Montana Medical Association
00:22:46 Rep. Hunter
00:22:58 Erin MacLean Fincham
00:23:24 Rep. Ingraham
00:23:37 Sue O'Connell
00:23:45 Rep. Smith
00:24:03 Rep. Moore

00:25:17 **Vote:** Motion carried unanimously by voice vote. Rep. Furey voted by proxy.

00:25:23 **Motion:** Rep. Bangerter moved that **SB 241 BE CONCURRED IN AS AMENDED**.

Discussion:

00:25:48 Rep. Yates
00:26:22 Rep. Noonan
00:26:36 Rep. Bangerter
00:27:18 Rep. Yates
00:27:35 Rep. Bangerter
00:27:51 Rep. Moore

00:28:37 **Vote:** Motion carried 14-1 by roll call vote with Rep. Hill voting no. Rep. Furey voted by proxy. Rep. More will carry the bill.

00:29:38 Chairman Howard

EXECUTIVE ACTION ON SB 272

00:29:42 **Motion:** Rep. C. Smith moved that **SB 272 BE CONCURRED IN**.

Discussion:

00:29:52 Chairman Howard
00:30:04 Sue O'Connell
EXHIBIT(huh65a03)
00:30:50 Rep. Kennedy
00:31:24 Rep. Noonan

00:31:30 **Substitute Motion/Vote:** Rep. Kennedy made a substitute motion that **SB 272 BE TABLED**. Substitute Motion carried 14-1 by roll call vote with Rep. Pease-Lopez voting no. Rep. Furey voted by proxy.

EXECUTIVE ACTION ON SB 284

00:32:54 **Motion:** Rep. C. Smith moved that **SB 284 BE CONCURRED IN**.

EXHIBIT(huh65a04)

00:33:20 **Substitute Motion/Vote:** Rep. Kennedy made a substitute motion that **SB 284 BE TABLED**. Substitute Motion carried 8-7 by roll call vote with Rep. Bangerter, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan, Rep. Pease-Lopez and Rep. Yates voting no. Rep. Furey voted by proxy.

EXECUTIVE ACTION ON SB 366

00:34:50 **Motion:** Rep. C. Smith moved that **SB 366 BE CONCURRED IN**.

Discussion:

00:35:09 Rep. Hunter
00:35:52 Rep. Noonan
00:37:20 Rep. Hill exited.
00:37:29 Rep. Fitzpatrick

00:37:50 **Vote:** Motion carried 8-7 by roll call vote with Rep. Bangerter, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan, Rep. Pease-Lopez and Rep. Read voting no. Rep. Furey and Rep. Hill voted by proxy. Rep. Skattum will carry the bill.

EXECUTIVE ACTION ON SB 370

00:39:38 **Motion:** Rep. C. Smith moved that **SB 370 BE CONCURRED IN**.

Discussion:

00:40:25 Rep. Bangerter
00:40:40 Sue O'Connell, LSD
00:40:52 Rep. Hunter
00:41:51 Rep. Bangerter
00:42:09 Rep. smith
00:42:28 Rep. Hunter
00:42:45 Rep. Bangerter
00:43:04 Rep. Hunter
00:43:42 Rep. Bangerter
00:43:46 Sue O'Connell
00:44:07 Rep. Bangerter
00:44:28 Rep. Smith
00:45:27 Rep. Noonan

00:46:29 **Vote:** Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Furey and Rep. Hill voted by proxy. Rep. Smith will carry the bill.

00:47:36 Rep. Smith

ADJOURNMENT

Adjournment: 00:48:45

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Miranda Keaster, Secretary

mk

Additional Exhibits:

EXHIBIT(huh65a05)
EXHIBIT(huh65a06)
EXHIBIT(huh65a07)

Additional Documents:

EXHIBIT(huh65aad.pdf)

EXHIBIT 2
DATE 3/23/2011
HB SB241

Amendments to Senate Bill No. 241
3rd Reading Copy

Requested by Representative David Howard

For the House Human Services Committee

Prepared by Julianne Burkhardt
March 23, 2011 (12:08pm)

1. Page 2, line 17.
Strike: "and must be" on line 17 through "services" on line 19.

- END -